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In re Application of :
DUWAT, Patrick, et al. :
U.S. Application No.: 09/508,514 : FOURTH COMMUNICATION
PCT No.: PCT/IB99/01430 : REGARDING SUBMISSION
International Filing Date: 26 July 1999 : UNDER 37 CFR 1.42
Priority Date: 24 July 1998 :
Attorney's Docket No.: 0384-0049-0 PCT :
For: PROCESS FOR PREPARING STARTER :
CULTURES OF LACTIC ACID BACTERIA :
:

In a communication mailed by this Office on 31 January 2002, applicants were informed that the declaration filed on 05 October 2001 could not be accepted because it failed to comply with the requirements of 37 CFR 1.497(b)(2). Specifically, the declaration did not set forth the residence, citizenship, and mailing address for the deceased inventor, as required under 37 CFR 1.497(b)(2).

On 30 April 2002, applicants filed a "Reply to Third Communication Regarding Submission Under 37 CFR 1.42" accompanied by a supplemental declaration and the petition and fee required for a one month extension of time. Based on the extension, the 30 April 2002 submission is considered a timely response to the 31 January 2002 Office communication.

In the supplemental declaration filed 30 April 2002, legal representative Anne Bravard confirms that the residence, citizenship, and mailing address listed in the previously filed declaration is the same for both Ms. Bravard and for the deceased inventor. The combination of the declaration filed 05 October 2001 and the supplemental declaration filed 30 April 2002 is therefore acceptable under 37 CFR 1.42 and complies with the requirements of 37 CFR 1.497.

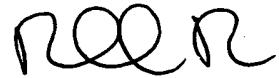
Based on the above, the declaration filed 05 October 2001, in combination with the supplemental declaration filed 30 April 2002, is accepted under 37 CFR 1.42 and 37 CFR 1.497.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT operations for further processing in accord with this decision. The 35 U.S.C. 371 date is 30 April 2002.



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